

by amended claims 1 - 35. Claims 35 - 40 directed to the vapour management system of the invention have been replaced by amended claims 36 - 44.

These claims have been amended to address the prior art cited in the international search report.

Considering firstly the claims to the solvent vapour recovery system (now claims 1 - 35), applicant's comments upon the cited references are as follows.

The cited Taurat reference US 5 336 376 differs from claims 1- 35 in significant respects. In Taurat, the condensation occurs in condenser 4. Dip tank 3 is present for the sole purpose of regulating the volume of condensate. Condenser 4 is not a direct condensation module containing a heat absorbing mass but, instead, has a condensing coil, as shown in the drawings. To emphasize this distinction, claim 1 has been amended to recite the presence of a heat absorbing mass in the direct condensation module. Furthermore, the conduit between the column 1 and the condenser 4 of Taurat does not direct the vapour substantially without condensation therein as recited in claim 1 or slope downwardly to allow drainage of any condensate formed within the conduit, as recited in claim 2.

The cited Portis reference US 5 873 980 does not teach the use of a direct condensation module containing a heat absorbing mass. Instead, the condensation occurs in a reflux condenser RC or 124.

The cited Vitrac reference FR 657 685 describes a regenerator A from which vapours are passed upwardly through tube 9 to a "dephlegmateur" B and at least partially condensed therein by passing the vapour through a bundle of tubes 8. Condensate returns to regenerator A through a tube 7b. Remaining vapour from the "dephlegmateur" B is condensed in columns C and C'. Thus, there is no conduit means connecting regenerator A with a direct condensation module containing a heat absorbing mass, wherein the conduit means directs the vapour substantially without condensation from the regenerator into the condensation module or wherein the conduit means slopes downwardly to allow condensate formed within the conduit to drain into the condensation module.

Considering now the claims to the vapour management system (now claims 36 - 44), applicant's

comments upon the cited references are as follows.

The cited Vitrac reference FR 657 685 provides no teaching or suggestion of a static mass as the cooling medium. In the "déphlegmateur" B, the cooling medium is an air flow around the tubes 8. In the columns C and C', the cooling medium is a filler 12, which absorbs the condensate and must be regenerated periodically by removing it and replacing it with regenerated or fresh filler. Thus, Vitrac does not meet the requirement of the amended claims that the heat absorbing mass be static and non-absorbent to the condensate.

The cited Herzog reference US 5 307 638 again uses a dynamic mass as the cooling medium in the form of the shaped objects 4, which move in countercurrent to the waste gas flow.

The cited Rajoo reference US 4 850 117 again uses a dynamic cooling medium in the form of the cooling coil 22 through which some unspecified cooling medium is passed in order to cool the water within tank 10.

The cited Linde reference EP 0 336 122 again uses a dynamic condensation medium in the form of very cold pellets of solid carbon dioxide or the like, through which the vapour is passed. The condensate forms on the pellets and drains down into the lower portion of the column 9, from which it is removed. As the process proceeds, the pellets slowly evaporate and must be replenished. As such, the pellets are not static.

The cited Ab-Der-Halden reference GB 603 598 was cited only with respect to original claim 35 and is clearly irrelevant to the amended claims.

Finally, new claims 45 - 55 are directed to the control apparatus of the invention and applicant wishes to have these claims searched and considered in the international preliminary examination. Applicant would appreciate a ruling as soon as possible upon whether these new claims may be considered by the Examiner, so that any further search fee in respect of such

claims may be submitted without delay.

Yours very truly

A handwritten signature in dark ink, appearing to be "L. BROOKE KENEFORD", written over a horizontal line.

By: _____

L. BROOKE KENEFORD

Agent for the Applicant

Borden Ladner Gervais LLP
1000-60 Queen Street
Ottawa, Ontario, K1P 5Y7
Canada

LBK/sis

Encls.

1. Claim Pages 19 to 28